

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

INNOVATIVE AUTOMATION LLC,

Plaintiff,

v.

KOBO, INC.,

Defendant.

Case No. 2:13-cv-1103

JURY TRIAL DEMANDED

**INNOVATIVE AUTOMATION’S ANSWER TO KOBO’S COUNTERCLAIMS**

Plaintiff Innovative Automation LLC answers the Counterclaims of Kobo, Inc. as follows:

**PARTIES**

1. Admitted.
2. Admitted.

**JURISDICTION AND VENUE**

3. Admitted for purposes of this action only.
4. Admitted for purposes of this action only.
5. Admitted for purposes of this action only.

**INNOVATIVE AUTOMATION’S ANSWER TO KOBO’S COUNT ONE**

6. No response necessary.
7. Admitted.
8. Denied.
9. Admitted.
10. Denied.

**INNOVATIVE AUTOMATION’S ANSWER TO KOBO’S COUNT TWO**

11. No response necessary.

12. Admitted.

13. Admitted.

14. Denied.

15. Denied.

**INNOVATIVE AUTOMATION'S ANSWER TO KOBO'S COUNT THREE**

16. No response necessary.

17. Denied.

**INNOVATIVE AUTOMATION'S ANSWER TO KOBO'S PRAYER FOR JUDGMENT**

Innovative Automation denies that Kobo is entitled to any relief whatsoever, including without limitation, the relief requested in paragraphs A-E of Kobo's Prayer for Judgment.

**INNOVATIVE AUTOMATION'S PRAYER FOR RELIEF**

Innovative Automation prays for judgment that:

- A. Kobo's Counterclaims be dismissed with prejudice;
- B. Kobo takes nothing by reason of its Counterclaims;
- C. Innovative Automation be awarded its costs and expenses;
- D. This be adjudged an exceptional case and that Innovative Automation be awarded its attorneys' fees in this action pursuant to 35 U.S.C. § 285; and
- E. Innovative Automation be awarded such other further relief as the Court may deem appropriate.

Dated: February 18, 2014

Respectfully submitted,

/s/ Marie A. McCrary /  
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Attorneys for Plaintiff Innovative  
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### **CERTIFICATE OF SERVICE**

The undersigned hereby certifies that all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3) this 18th day of February, 2014.

/s/ Marie A. McCrary /